

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:17-cr-41-KS-MTP

JERMAINE ANTONIO NEWELL, *et al.*

**AMENDED FINAL ORDER OF FORFEITURE AND ORDER
RELEASING 1207 HIGHWAY 28 WEST, SOSO, MS 39480**

Before this Court is the United States of America's Motion for an Amended Final Order of Forfeiture and Order Releasing Property [ECF No. 108]. Having reviewed the United States' Motion, this Court finds the request is well taken and should be GRANTED. In support of its ORDER, the Court finds as follows:

On June 14, 2018, this Court entered a Final Order of Forfeiture forfeiting **\$11,120.00 U.S. Currency; \$172.00 U.S. Currency; and Real property located at 1207 Highway 28 West, Soso, Mississippi 39480, in the County of Jones (more particularly described in the Bill of Particulars filed herein)**. Final Order of Forfeiture, ECF No. 75. The United States' motion—and this order—concern only the real property; the other property remains forfeited.

The United States' motion explains that because Jones County sold the real property, **1207 Highway 28 West, Soso, Mississippi 39480**, at a tax sale, there is a cloud over the title of the property, further described as:

The following described lots, tracts or parcels of land in Jones County, MS:

Commencing at the Southwest corner of the NE 1/4 of the SW 1/4 of Section 11, Township 9 North, Range 13 West, and run North 621 feet; thence East 380 feet to the point of beginning; thence East 200 feet; thence South 135 feet; thence West 60 feet; thence South 92 feet; thence South 84 degrees West 141 feet; thence North 241.7 feet to the point of beginning; and Commencing at the Southwest corner of the Northeast 1/4 of the Southwest 1/4 of Section 1, Township 9 North, Range 13 West, and run North 621 feet; thence East 380 feet for a point of beginning; thence East 140 feet; thence North 41 feet to the South side of State Highway No. 28; thence Northwesterly parallel with highway 153.7 feet, more

or less; thence South 104.5 feet to the point of beginning; and all situated in the Northeast 1/4 of the Southwest 1/4 of Section 11, Township 9 North Range 13 West, Second Judicial District, Jones County, Mississippi.

The United States, the purchaser of the tax lien (GUARDIAN TAX MS 2016, LLC), and the intended buyer of the property (JASON MARSHALL, on behalf of MARSHALL FAMILY SERVICES), desiring to avoid further litigation over this property, have entered into an Agreed Settlement, wherein the United States accepts \$500 United States Currency from JASON MARSHALL in lieu of the real property. Upon receipt of this payment, the United States will execute a release of *lis pendens* and provide copies to GUARDIAN TAX MS 2016, LLC and JASON MARSHALL, which they will file with the Jones County Chancery Court Clerk's Office, along with a copy of this order.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the **\$500 United States Currency** previously referenced is hereby forfeited to the United States of America pursuant to 21 U.S.C. § 853(p);

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the parties conduct the referenced transaction according to the procedures specified in the Agreed Settlement;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all right, title and interest to the **\$500 United States Currency** described above is hereby condemned, forfeited and vested in the United States of America, and shall be disposed of according to law; and

IT IS FURTHER ORDERED that the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order.

SO ORDERED, ADJUDGED, AND DECREED this 30th day of
July, 2020.

s/Keith Starrett
KEITH STARRETT
UNITED STATES DISTRICT JUDGE